

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STEPHEN BLAZCZAK and MARLENE
BLAZCZAK,

Plaintiffs,

No.: 10-cv-00467-GLL

v.

AMERICAN SECURITY INSURANCE
COMPANY,

Defendant.

STIPULATION AND CONSENT TO REMAND

AND NOW come the Plaintiffs, Stephen Blazczak and Marlene Blazczak, by and through their counsel, Elizabeth F. Collura, Esquire and Swensen Perer and Kontos, and file the within Stipulation and Consent to Remand, averring as follows:

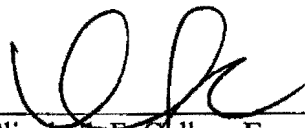
1. On September 2, 2009, Plaintiffs initiated the above-captioned action with the filing of a Writ of Summons in the Court of Common Pleas of Allegheny County.
2. On March 23, 2010, Plaintiffs filed their Complaint in Civil Action in the Court of Common pleas of Allegheny County, Pennsylvania for (1) breach of insurance contract for failure to make payment for a covered loss; (2) engaging in bad faith conduct in violation of Pennsylvania's Bad Faith Statute, 42 Pa. C. S. A. §8371; and (3) violation of Pennsylvania's Uniform Trade Practices and Consumer Protection Law, 73 P.S. §202-2(4)(v) and (vii). The case was subsequently removed to the United States District Court for the Western District of Pennsylvania on the basis of diversity jurisdiction.

3. The parties hereby stipulate that the total of all damages recoverable by Plaintiffs in this case do not exceed the \$75,000.00 threshold for federal jurisdiction. This stipulation applies to the total of all damages in this case, including but not limited to: actual damages, treble damages, attorneys fees, punitive damages, costs, interest, statutory damages, and all other categories of damages recoverable in the above captioned matter, and consent to the remanding of this case to the Court of Common Pleas of Allegheny County, Pennsylvania.

Respectfully Submitted,

SWENSEN PERER & KONTOS


Date: 5/17/10


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Date: May 17, 2010

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AND NOW, this 17th day of
May, 2010, IT IS SO ORDERED.


Hon. Gary L. Lancaster,
Chief U.S. District Judge